

1 CRONE HAWXHURST
2 Gerald E. Hawxhurst (Bar No. 220327)
jerry@cronehawxhurst.com
3 Joshua P. Gelbart (Bar No. 274021)
jgelbart@cronehawxhurst.com
4 10880 Wilshire Blvd., Suite 1150
Los Angeles, California 90024
Telephone: (310) 893-5150
5 Facsimile: (310) 893-5195

6 Attorneys for Plaintiff
Alpha Investment, LLC
7

8 ALLEN & OVERY LLP
Jacob S. Pultman (Admitted Pro Hac Vice)
jacob.pultman@allenavery.com
9 Molly C. Spieczny (Admitted Pro Hac Vice)
molly.spieczny@allenavery.com
10 1221 Avenue of the Americas
New York, New York 10020
11 Telephone: (212) 610-6300
Facsimile: (212) 610-6399
12

13 Attorneys for Plaintiff
Alpha Investment, LLC
14 [Additional counsel information listed on
signature page]
15

16
17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA

19 ALPHA INVESTMENT, LLC,

CASE NO. CV 11-3500-JSW

20 Plaintiff,

**STIPULATED REQUEST FOR ORDER
CHANGING TIME**

21 v.
22 ZYNGA INC. and ANDREW TRADER,

**[PROPOSED ORDER SUBMITTED
HEREWITH]**

23 Defendants.

24
25
26 WHEREAS, the initial Complaint in the above-captioned action was filed on July 15,
27 2011;

1 WHEREAS, on August 1, 2011, the Court entered an Order scheduling the Case
2 Management Conference for October 28, 2011;

3 WHEREAS, motions to dismiss and a motion to intervene (the “Motions”) were filed by
4 Defendants Zynga Inc. and Andrew Trader (“Defendants”) on August 5, 2011 and noticed for oral
5 argument on November 4, 2011;

6 WHEREAS, on September 14, 2011, the parties stipulated and agreed that, with the
7 consent of the Court, the Case Management Conference originally set for October 28, 2011 should
8 be adjourned until November 4, 2011, so as to coincide with oral argument on the Motions;

9 WHEREAS, on September 15, 2011, the Court entered an Order scheduling the Case
10 Management Conference for November 4, 2011, immediately following oral argument on the
11 Motions;

12 WHEREAS, on October 27, 2011, an Amended Clerk’s Notice was entered in this action
13 rescheduling for December 16, 2011 the oral argument on the Motions and the Case Management
14 Conference that had been previously scheduled for November 4, 2011;

15 WHEREAS, on November 14, 2011, the parties stipulated and agreed that, with the
16 consent of the Court, the oral argument on the Motions and the Case Management Conference set
17 for December 16, 2011 should be adjourned until February 10, 2012, the earliest date available
18 after December 16, 2011 on which oral argument on the Motions and the Case Management
19 Conference could be held, in order to accommodate the schedule of lead counsel for Defendant
20 Zynga Inc.;

21 WHEREAS, on November 15, 2011, the Court entered an Order scheduling oral argument
22 on the Motions and the Case Management Conference for February 10, 2010;

23 WHEREAS, on February 6, 2012, the Court entered an Order requiring further briefing
24 and continuing the hearing on the Motions to March 16, 2012 and the Case Management
25 Conference to March 30, 2012;

26 WHEREAS, on March 12, 2012, the Court entered an Order granting Defendants’ motions
27 to dismiss, denying Defendant Trader’s motion to intervene as moot, granting Plaintiff leave to
28 amend within 20 days or by April 2, 2012, directing Defendants to answer or move to dismiss

1 within 20 days of service of the amended complaint; and vacating the Case Management
2 Conference to be reset, if necessary, at a later date;

3 WHEREAS, an amended complaint in this action is being filed on April 2, 2012;

4 WHEREAS, due to scheduling conflicts, lead counsel for Defendant Andrew Trader is
5 unavailable between April 29, 2012 and May 13, 2012, and again between May 21, 2012 and May
6 25, 2012; and

7 WHEREAS, the parties seek the prompt resolution of this action;

8 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
9 the parties to this action, through the undersigned counsel of record, pursuant to Rules 6.1(b) and
10 6.2(a) of the Civil Local Rules of the United States District Court for the Northern District of
11 California, as follows:

12 1. Subject to the consent of the Court, Defendants shall answer or move to dismiss the
13 amended complaint by May 2, 2012;

14 2. Subject to the consent of the Court, if Defendants move to dismiss the amended
15 complaint, Plaintiff shall file oppositions to Defendants' motions to dismiss by May 18, 2012;

16 3. Subject to the consent of the Court, Defendants shall file replies to Plaintiff's oppositions
17 by May 30, 2012;

18 4. Subject to the consent of the Court, oral argument on the motions to dismiss the amended
19 complaint and the Case Management Conference shall be set for ~~June 8~~ June 15, 2012.

20 5. The parties to this action enter this stipulation without prejudice to any parties' rights with
21 respect to discovery, including but not limited to a party's right to serve, object to, move to
22 compel, quash or stay discovery, or to seek further relief from the Court as appropriate.

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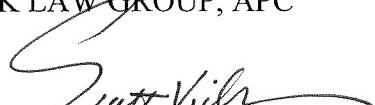
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1 DATED: March 27, 2012

VICK LAW GROUP, APC

2 By 
3 Scott Vick (Bar No. 171944)
4 scott@vicklawgroup.com
5 Jessica Han (Bar No. 228859)
6 jessica@vicklawgroup.com
7 Lital Gilboa (Bar No. 263372)
8 lital@vicklawgroup.com
9 800 West Sixth Street, Suite 1220
10 Los Angeles, California 90017
11 Telephone: (213) 784-6225
12 Facsimile: (213) 985-7155

13 Attorneys for Defendant Andrew Trader

14 DATED: March , 2012

COOLEY LLP

15 By _____
16 Stephen C. Neal (Bar No. 170085)
17 (nealsc@cooley.com)
18 John C. Dwyer (Bar No. 136533)
19 (dwyeric@cooley.com)
20 Jeffrey M. Kaban (Bar No. 235743)
21 (ikaban@cooley.com)
22 Five Palo Alto Square
23 3000 El Camino Real
24 Palo Alto, California 94306-2155
25 Telephone: (650) 843-5000
26 Facsimile: (650) 849-7400

27 Attorneys for Defendant
28 Zynga Inc.

DATED: March , 2012

ALLEN & OVERY LLP

23 By _____
24 Jacob S. Pultman (admitted *pro hac vice*)
25 Attorneys for Plaintiff Alpha Investment, LLC

1 DATED: March __, 2012

VICK LAW GROUP, APC

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3 Scott Vick (Bar No. 171944)
4 scott@vicklawgroup.com
5 Jessica Han (Bar No. 228859)
6 jessica@vicklawgroup.com
7 Lital Gilboa (Bar No. 263372)
8 lital@vicklawgroup.com
9 800 West Sixth Street, Suite 1220
10 Los Angeles, California 90017
11 Telephone: (213) 784-6225
12 Facsimile: (213) 985-7155

13 Attorneys for Defendant Andrew Trader

14 DATED: March27, 2012

COOLEY LLP

15 By Jeffrey Kaban / JB
16 Stephen C. Neal (Bar No. 170085)
17 (nealsc@cooley.com)
18 John C. Dwver (Bar No. 136533)
19 (dwveric@cooley.com)
20 Jeffrey M. Kaban (Bar No. 235743)
21 (ikaban@cooley.com)
22 Five Palo Alto Square
23 3000 El Camino Real
24 Palo Alto, California 94306-2155
25 Telephone: (650) 843-5000
26 Facsimile: (650) 849-7400

27 Attorneys for Defendant
28 Zynga Inc.

DATED: March __, 2012

ALLEN & OVERY LLP

21 By _____
22 Jacob S. Pultman (admitted *pro hac vice*)
23 Attorneys for Plaintiff Alpha Investment, LLC

1 DATED: March ___, 2012

VICK LAW GROUP, APC

2
3 By _____
4 Scott Vick (Bar No. 171944)
5 scott@vicklawgroup.com
6 Jessica Han (Bar No. 228859)
7 jessica@vicklawgroup.com
8 Lital Gilboa (Bar No. 263372)
9 lital@vicklawgroup.com
10 800 West Sixth Street, Suite 1220
11 Los Angeles, California 90017
12 Telephone: (213) 784-6225
13 Facsimile: (213) 985-7155

14 Attorneys for Defendant Andrew Trader

15 DATED: March ___, 2012

COOLEY LLP

16 By _____
17 Stephen C. Neal (Bar No. 170085)
18 (nealsc@cooley.com)
19 John C. Dwyer (Bar No. 136533)
20 (dwyerjc@cooley.com)
21 Jeffrey M. Kaban (Bar No. 235743)
22 (ikaban@cooley.com)
23 Five Palo Alto Square
24 3000 El Camino Real
25 Palo Alto, California 94306-2155
26 Telephone: (650) 843-5000
27 Facsimile: (650) 849-7400

28 Attorneys for Defendant
Zynga Inc.

DATED: March 30, 2012

ALLEN & OVERY LLP

22 By _____
23 Jacob S. Pultman (admitted *pro hac vice*)
24 Attorneys for Plaintiff Alpha Investment, LLC

1 PURSUANT TO STIPULATION, ~~IT IS SO ORDERED.~~ AS MODIFIED ABOVE, IT IS SO
2 ORDERED.
3 DATED: April ____, 2012

4 Dated: April 2, 2012

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Jeffrey S. White

HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE